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Serial No.: 09/640,190
Group Art Unit: 2674
Examiner: Tam D. Tran

REMARKS

Claim 2 has been amended to improve the clarity of the claimed subject matter and to bring the claims into conformity with U.S. Practice and format, and to place the application fully in condition for allowance. All of the amendments are fully supported by the original disclosure of this application and therefore do not constitute the introduction of any new matter into this case.

The amendments are proposed pursuant to Rule 116 to place the application fully in condition for allowance. Entry of the proposed amendments, which will not require a new search or consideration of new issues is respectfully requested. It is believed that the amendments do not raise substantive issues that were not previously considered by the Examiner.

CLAIM REJECTIONS

Claim Rejections under 35 U.S.C. § 102

Claim 2 is rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. 6,195,085 (Becker et al.). Claim 2 has been amended to positively recite that the liquid-filled compartment 3 comprises a see-through external wall and a bottom wall, and liquid with a decorative article floating on the surface of the liquid, and the liquid and the decorative article inside the liquid-filled compartment 3 is fully visible through the external wall of the liquid-filled compartment 3, as clearly shown in Figures 1-5.

Becker et al. discloses a hand held pointing device (mouse) that utilizes a soft silicon jelly material to enclose the outer surface of the mouse casing, so that the mouse casing is pliant, having a soft outer surface to add to the comfort of the user. The silicon jelly material of Becker et al. is the same as that used for the manufacture of common mouse pads, and is a type of viscous gel that may be clear, but is not a liquid substance for floating a decorative article on a surface thereof, as presently claimed. Becker et al. discloses a liquid crystal layer matrix disposed between the outer

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surface of the mouse casing and the silicon jelly material, and wires are provided in the liquid crystal layer to electronically control the latter. In Becker et al., when a user's hand holds the mouse casing and contacts its outer surface, the temperature of the hand of the user and pressure applied thereon on the mouse casing causes changes in the color of the liquid crystal layer via specific signals generated by a computer system connected to the mouse, to enhance the visual senses.

In contrast, the claimed invention, as presently amended, provides a mouse casing having a liquid-filled compartment in which liquid is contained therein to float a decorative article. In the present invention, the mouse casing is a rigid and clear plastic casing, having at least one liquid compartment with a floating ornament thereon which is visible through the clear plastic wall of the liquid-filled compartment. The inventive device is not pliant, as is the case with Becker et al. In the claimed invention, the see-through external wall of the liquid-filled compartment 3 does not include any liquid crystal layer with wires to alter the display inside the liquid-filled compartment 3.

Therefore, it is most respectfully submitted that the claimed invention, as recited in amended independent claim 2, patentably distinguishes over the cited reference to Becker et al. In view of the amendments to independent claim 2, and the remarks above, withdrawal of the rejection based on 35 U.S.C. § 102 is most respectfully requested.

Claim Rejections under 35 U.S.C. § 103

Claims 3 and 4 are rejected under 35 U.S.C. § 103 as being unpatentable over Becker et al.

With regard to claims 3 and 4, the reference to Becker et al. does not disclose an internally stepped edge on the upper case thereof correspondingly fitted to the stepped edge of the liquid-filled compartment, to firmly connect the liquid-filled compartment to the upper case. No motivation has been provided in the latest Office Action to so modify the base reference to Becker et al.

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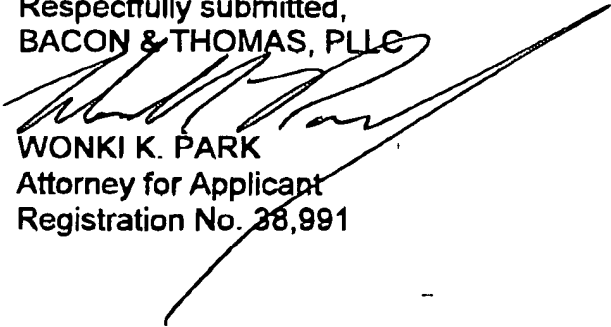
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With regard to claim 5, the Examiner indicated that the reference to Becker et al. teaches a liquid crystal plate (upper case) that is transparent (Figure 7, column 10, lines 37-42). It is respectfully submitted that in column 10, lines 37-42 of Becker et al., it is only disclosed that a liquid-crystal plate 320 is attached to a rigid outer shell 310. There is no disclosure to indicate that the upper case is transparent.

Claims 3-5 depend from independent claim 2, which as amended is believed to be fully patentable over the reference to Becker et al. In view of the remarks above, and the amendments to independent claim 2, withdrawal of the rejection based on 35 U.S.C. § 103 is most respectfully requested.

In summary, it is respectfully submitted that none of the prior art individually or collectively shows the invention as claimed. Accordingly, withdrawal of the rejection of the claims appears to be warranted and the same is respectfully requested. In the event there are any outstanding matters remaining in the present application which can be resolved by a telephone call or facsimile communication to applicant's attorney, the Examiner is invited to contact the undersigned by telephone or facsimile at the numbers provided below.

Respectfully submitted,
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APPENDIX OF AMENDED CLAIM

2.(Amended) A computer mouse comprising:

a liquid-filled compartment, the liquid-filled compartment comprising a see-through external wall and a bottom wall, and liquid with a decorative article floating on the surface of the liquid;

a lower case comprising front and rear portions, the rear portion of the lower case adapted to receive the bottom wall of the liquid-filled compartment, the front portion of the lower case adapted to receive electronic components of the computer mouse; and

an upper case adapted to cover the electronic components of the computer mouse and secure the liquid-filled compartment between the lower case and the upper case, such that [the content of the see-through compartment is fully visible] the liquid and the decorative article inside the liquid-filled compartment are fully visible through the external wall of the liquid-filled compartment.